

Notice of Allowability

Application No.

10/042,513

Examiner

Eric Hug

Applicant(s)

EDWARDS ET AL.

Art Unit

1731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on December 2, 2003.
2. ☒ The allowed claim(s) is/are 1-79.
3. ☒ The drawings filed on 09 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date <u>5/25/2002</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Response to Amendment

The following is in response to the amendment filed on December 2, 2003.

Allowable Subject Matter

Claims 1-79 are allowed.

Claims 1-15 are allowed, because there is no teaching or suggestion in the prior art for making a web, including the step of throughdrying the web, based on an airflow through the web whereby the airflow exhibits a characteristic Reynolds Number (Re) less than 1 and a dimensionless throughdrying coefficient ($2 + 2/Re$) from about 4-10, and further whereby the airflow through the sheet is based on flow parameters in the sheet, rather than based on the flow of the air coming from the throughdryer or other air flows in the process.

Claims 16-79 are allowed, because the claimed features of Reynolds number and throughdrying coefficient are not disclosed in the prior art with respect to a wet-crepe throughdry process for making a sheet, or with respect to a method of making an absorbent sheet comprising the steps of forming, dewatering, drying on a Yankee dryer, creping, re-wetting, wet molding, and throughdrying. These reasons were presented in the previous office action.

Response to Arguments

Applicant's arguments, see the Remarks on pages 16 and 17, filed December 2, 2003, with respect to the calculations presented in the previous office action have been fully considered and are persuasive. With respect to these arguments and to the amendment of claim 1, the rejection of claims 1-4, 11, and 13 under 35 U.S.C. 103(a) as being unpatentable over Ilmarinen et al (US 5,495,678) and Ilmarinen (US 5,383,288) has been withdrawn.

The calculations of Reynolds number and throughdrying coefficient presented by the examiner in the previous office action were erroneously based on air flows coming from a throughdrying device and impinging on a sheet, rather than based on the hydraulic properties of the sheet and flows of air through the sheet. The governing equations presented by Applicant are characteristic of flow through porous media and cannot be used with the data provided in the Ilmarinen references.

Applicant also has provided clear evidence showing papers produced by the present invention meet the claimed criteria of characteristic Reynolds Number and characteristic throughdrying coefficient (Table 2), whereby prior art papers do not meet these criteria.

Information Disclosure Statement

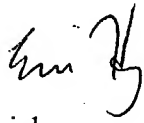
The information disclosure statement (IDS) submitted on March 25, 2002 has been considered by the examiner. A copy of the initialed PTO-1449 is enclosed with this office action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192. The examiner can normally be reached on Monday through Friday, 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


jeh


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